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<b>(54) Title:</b> COMPOSITE BUILDING MATERIALS FROM RECYCLABLE WASTE  <b>(57) Abstract</b>  A composite building material is disclosed produced from recycled materials. The composite building material is composed of an extruded mixture of high density polyethylene and a thermoplastic coated fiber material such as fiberglass. The resulting material has increased strength and is useful in high stress applications such as railroad ties.		

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DESCRIPTION  
COMPOSITE BUILDING MATERIALS FROM  
RECYCLABLE WASTE

TECHNICAL FIELD

5                   The present invention relates to the fields of waste recovery, recycling and building material production and use.

BACKGROUND ART

                  There are several types of chemically treated lumber such as creosoted lumber and pressure treated lumber. These materials are  
10   enjoying an ever increasing level of popularity for use in, for example, guard rails, railroad ties, telephone poles, fences, decks, and retaining walls. These materials are relatively inexpensive to make and use, and they are just as versatile as any other form of wood. They also have enhanced resistance to microbial and to fungal degradation and to water.

15                   However, the increasing popularity of chemically treated lumber has some negative repercussions which are just now being realized. Chemically treating lumber takes a perfectly useable, recyclable, renewable resource and renders it toxic. For example "pressure treated" or "CCA" lumber is treated with a very poisonous chromated copper  
20   arsenic material and can not be burned. While CCA lumber can be buried, the leaching of toxic chemicals makes such disposal strategies much less than desirable. Creosoted lumber requires special incinerators. These materials are becoming far more difficult and expensive to dispose of than to use. However, because of the long useful life of these materials,  
25   the economic and environmental impact of chemically treated lumber is just beginning to be felt.

                  A synthetic replacement for chemically treated lumber would have several advantages. It would slow the cutting of hard and soft-wood forests. It would also eliminate the use of hazardous chemicals associated

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with chemically treated wood and would eliminate the disposal problems associated therewith.

A number of suggestions have been made for producing lumber substitutes to reduce or eliminate the use of chemically treated wood. Some of these materials have been very successful for specific applications. However, to date, none of these materials have been broadly successful, particularly in structurally demanding applications such as railroad ties.

One product available from Trimax of Long Island Incorporated, 2076 5th. Ave., Ronkonkama, N.Y. 11779 is composed of fiberglass distributed in high density polyethylene ("HDPE"). While the fiberglass includes a silane sizing, it is not a coated fiber material as discussed herein.

Another synthetic lumber product is available from Eaglebrook Products Incorporated, 2650 West Roosevelt Rd., Chicago, Ill. 60608. This material is composed of formed HDPE which does not use fibers. The result is a material with low compressive and flexival modulus and a relatively high thermal expansion coefficient.

A rather interesting approach to recycling unwanted tires was proposed by *Murray*, U.S. Patent No. 5,238,734. According to *Murray*, clean and non-crumbling tires are ground into rubber fragments. The fragments, which can include fiberglass and steel belts, are mixed with an epoxy mixture comprising an oxirane-containing resin and an amine-containing hardening agent and molded into railroad ties. While *Murray* found a use for a growing environmental problem, namely, the proliferation of tires, it would be even more desirable to produce a composite building material constructed almost entirely of recycled materials. This would provide a market for potentially millions of pounds of recycled plastics per year. Therefore, there is certainly room for

improvement. *See* also U.S. Patent No. 4,137,198; 4,229,497; 4,303,707; 5,053,274 and 5,063,862, all of which relate to plastic-based building materials, some of which may be used for, for example, railroad tie replacements.

## 5 SUMMARY OF THE INVENTION

The present invention relates to a composite building material. In a preferred embodiment, the building material has a polymer component and, distributed therein, a coated fiber component made up of coated fibers such as carbon fibers, fiberglass, or a mixture thereof. Not  
10 all of the fibers need to be coated. For example, the coated fiber component could consist of coated fiberglass mixed with a fraction of uncoated carbon fibers.

The polymer component includes between about 80 and about 100% HDPE by weight of the polymer component. The polymer  
15 component makes up at least about 20% by weight based on the weight of the finished composite building material.

The present invention represents a dramatic improvement in recycling technology in that it provides a composite building material which can be made substantially completely from non-virgin (used)  
20 materials. Moreover, the composite building material of the present invention can be made from materials which are often the least desirable in terms of their recyclability and economic value. The resulting composite building material is also recyclable.

For example, many communities now have mandatory  
25 recycling for their residences and businesses. Various concerns collect the plastic waste and separate it into various components. PET soda bottles are fairly valuable in recycling and, as such, these materials are further separated from the remainder of the plastics for resale and reuse. What is left, unfortunately, are the misfit plastics or "curbside tailings". These

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materials often comprise a significant quantity of high-density polyethylene ("HDPE") mixed with an assortment of other plastics such as polyvinyl chloride ("PVC"), polyethylene terephthalate ("PET") (from soda bottles or otherwise), polypropylene ("PP"), polyethylene ("PE"), and other  
 5 minor components. A typical plastic mix for "curbside tailings" is presented in Table 1.

TABLE 1  
 PERCENTAGE OF EACH PLASTIC TYPE IN TYPICAL CURBSIDE  
 TAILINGS MIX

10

TYPE	CT <sup>1</sup>
PET (SODA BOTTLES)	--
HDPE, NON-MILK	90.2
HDPE, MILK+H <sub>2</sub> O	--
PVC	3.2
PET, NON-SODA	4.5
PP	0.5
OTHER (#7)	1.6
LDPE	--
PS	--

<sup>1</sup> Curbside Tailings As Collected with PET soda and HDPE milk/water bottles removed. Amounts are presented as a percentage of the remaining plastic materials.

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Finding a use for these materials makes recycling more profitable as a larger segment of the plastic waste can be meaningfully reused. The present invention also helps reduce the amount of material that is incinerated or sent to a landfill.

5           The present invention also helps with another consumer waste problem; namely the growing use of fiberglass in composite structural panels, such as those used in automobiles, boats, airplanes, etc. With the exception of the present invention, there are just not many uses for these polymer coated fiberglass matrix materials once their useful life has been  
10 reached. In fact, most of this material needs to be buried in land fills.

          It has been surprisingly found that by producing a composite building material of curbside tailings and polymer coated fiber, a building material with surprisingly good mechanical properties is obtained. This building material is also resistant to water, resistant to degradation by  
15 petrochemicals, microbes and fungus, is heat resistant, is cold resistant and has an increased service life over conventional building materials. Most importantly, these incredibly strong structural materials can be produced totally from recyclable materials and in fact, from some of the least desirable recyclable materials available.

20           In a particularly preferred embodiment, the present invention provides a plastic composite railroad tie which is resistant to microbial attack, fungi, exposure to fuel and exposure to water. The railroad ties are non-electrically conductive and attached rails will not separate by more than 0.3175 cm under a lateral load of 24,000 lbs. The railroad ties also  
25 can withstand a vertical static load of at least 39,000 lbs., and a dynamic vertical load of at least 140,000 lbs. A railroad tie in accordance with the present invention preferably has a compressive modulus of at least about 170,000 psi along the tie's axis, assuming a zero thermal expansion coefficient.

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Nowhere are the advantages of the present invention more apparent than in the construction of railroad ties. Traditional creosote treated wood railroad ties do not perform satisfactorily in curves, in high tonnage areas or wet environments. The creosoted lumber is subject to microbial attack, particularly when in wet environments and it poses disposal problems. Steel reinforced concrete railroad ties can be used where wood is inappropriate. However, such railroad ties have been known to fail due to freeze-thaw degradation and the eventual oxidation of the reinforcements. In addition, concrete railroad ties have been found to cause premature failure of the rails. Steel rails have historically suffered from fatigue and lateral stability problems when used in combination with cement railroad ties.

Railroad ties constructed of the materials in accordance with the present invention, however, have an increased service life compared to conventional railroad ties in most applications, a superior resistance to degradation in wet environments and do not cause rail failure. Because of the materials used, the railroad ties in accordance with the present invention also provide a market for millions of tons per year of recycled plastics which, otherwise, no one would want. The present invention also eliminates the use of hazardous chemicals associated with the treating of railroad ties and eliminates the waste disposal problems associated therewith. Finally, the materials in accordance with the present invention can themselves be recycled and used in the construction of new railroad ties.

## BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 is a graph illustrating tensile modulus verses the composite composition for injection molded samples.

Fig. 2 is a graph illustrating the tensile stress characteristics (strength) of materials according the present invention.



### BEST MODE OF CARRYING OUT INVENTION

A composite building material in accordance with the present invention is a plastic based wood substitute comprised of a polymer component and, distributed therein, a coated fiber component. The wood substitute can be formed into dimensional lumber, railroad ties, poles, a simulated tree trunk for use as a telephone poles or guard rail posts or for use in construction of, for example, a pier or boardwalk, and the like.

In accordance with the present invention, the polymer component includes between about 80 and about 100% HDPE. HDPE as used herein refers to high density polyethylene having a density which ranges from between about 0.952 to about 0.965 g/cm<sup>3</sup>. "About 80%" should be understood to mean that, preferably, the building material of the present invention includes between 80 and 100% HDPE. Preferably, the polymer material includes about 85 to about 100% HDPE and, more preferably, between about 90 and about 100% HDPE. However, depending upon the nature and the distribution of the remaining materials, it may be possible to omit up to an additional 5% by weight of the major polymer component. The balance of the polymer component, generally up to about 20% by weight, but sometimes higher, can be composed of one or more polymers selected from a group consisting of polyvinyl chloride ("PVC"), other forms and densities of polyethylene ("PE"), polypropylene ("PP"), polystyrene ("PS"), and polyethylene terephthalate ("PET"). The balance of the polymer component can also include contaminants such as metal from bottle caps, labels, glues, dyes, residue, paint and dirt. Preferably, however, this contamination makes up only a few (less than 5%) percent of the total weight of the polymer component.

Of course, virgin materials, such as virgin HDPE, or a mixture of virgin HDPE and used HDPE can also be used. However, preferably, at least one of the polymers utilized in the polymer component

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is recycled, post-consumer waste, or otherwise used waste material. Most preferably, all or nearly all of the components are waste.

In production of the composite building materials of the present invention, there is no need to wash the HDPE, unless it is  
5 unusually dirty or contaminated. Instead, the materials are merely mixed and granulated such that they result in a .635 cm to about a 7.62 cm nominal granulate material. This is, of course, a measure of average particle size. Much smaller and some larger particles and flakes are useful. Preferably, there will be a nominal granulate of about .9525 cm  
10 which is determined by the ability of the material to be screened to that size.

In a particularly preferred embodiment, the polymer component is composed of so called "curbside tailings". As previously mentioned, curbside tailings are often that fraction of recyclable waste  
15 which is least desirable for commercial resale or reuse. Generally, it is composed of predominantly HDPE from bottles other than milk or water bottles, along with a small percentage of PVC, PET, PP, PS and other materials. Of course, milk, soda, and water bottles can also be useful.

Dispersed within the polymer component is a coated fiber  
20 component. The coated fiber component generally consists of fiberglass fibers having a minimum length of about 0.1 mm. The fiberglass fibers preferably have a length of between about 0.5 and about 20.0 mm and more preferably a length of between about 5.0 and about 10.0 mm. Again, this is an average size. A considerable amount of fiberglass dust,  
25 or longer fibers, may be used.

The fiber is preferably coated with or embedded within a thermoplastic polymer material such as PP, PE, PS and HDPE. The coated fibers generally include between about 10 and about 90% fiber by weight. Preferably, the fiber is provided in an amount of between about

20 and about 60% and more preferably between about 30 and about 45% by weight of the coated fibers. The majority of the remaining material is the coating, usually PP. A small amount, often 1% or less of the coated fiber component is a sizing agent known in the industry such as silane. A  
5 sizing agent may be useful in compatibilizing the polymer coating and the polymer component.

Again, virgin materials i.e. virgin fiberglass and additional thermoplastic polymer could be used in accordance with the present invention. Even so, it would be preferable to coat the fibers with the  
10 coating polymer prior to granulating the fibers and mixing them with the polymer component. Preferably, fiber imbedded in a polymer matrix, such as those used in automobile components, are used. This material usually comes as a flat sheet or an already formed structural component consisting of a fibrous mat of oriented and/or random fibers coated with a  
15 polymer matrix. Like the polymer component, the coated fiber component does not require special handling or washing prior to use. It should be handled like any other fiberglass or fiber material. It is granulated just like the polymer component as previously described herein.

The composite building material in accordance with the  
20 present invention preferably contains between about 50 and about 75% of the polymer component by weight based on the weight of the finished composite building material. In certain formulation, however, it may be possible to use or replace up to another 10% of the polymer component with coated and/or uncoated fiber reinforcing materials or fillers. More  
25 particularly, in accordance with the present invention, the coated fiber is provided in an amount of between about 30 to about 40% by weight based on the weight of the finished composite building material and, most preferably, the coated fiber material can be provided in an amount about 35% by weight.

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If, however, the coated fiber component was to include a particularly high coating percentage, it may be desirable to increase the overall content of the coated fiber relative to the amount of polymer component used. The reverse is also true. In any event, however, one  
5 would probably not use less than about 20% polymer component by weight or less than about 10% coated fiber material.

The reason why a coated fiber content of 35% is preferred in accordance with the present invention is illustrated in Figs. 1 and 2. Fig. 1 illustrates the tensile modulus verses the composite composition for  
10 injection molded samples. ASTM Test No. D638 was used for these determinations. As the amount of coated fiber, in this case coated fiberglass (x-axis) increases, so to does the tensile modulus "E" (y-axis). The progression is relatively consistent until the region of 30 to 50% coated fiber is reached. At about 35 %, the tensile modulus increases to a  
15 relative maximum whereby the tensile modulus equals that of a composite including 45 to 50% coated fiber. Thus a composite building material composed of 35% coated fibers will have the strength of a composite containing up to about 50% coated fiber. However, with less coated fiber, the resulting composite is lighter. The lower fiber content material is also  
20 much easier on the extruding equipment as the fiber can act as an abrasive. The composite material also has stress characteristics equal to that of a material containing 45 to 50% coated fiberglass scrap. See Fig.2 showing ultimate stress ( a.k.a. strength) (y-axis) verses composition (along the x axis).

25 The composite building material can be foamed, particularly when higher fiber contents are used. This will help to offset the increased weight based on the fiber content. Foaming provides lighter weight, the use of less fiber (which is easier on the extruder) and greater throughput. This is particularly useful in accordance with the present invention as the

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present invention is capable of providing material with properties greatly in excess of that needed for numerous applications. Therefore, foaming, which generally sacrifices mechanical properties for manufacturing efficiency and weight, will often not be a problem.

5           In general, the composite building material can be made by granulating curbside tailings and automobile structural panels to form, for example, a 3/8 inch nominal granulate. These materials are then mixed in the desired proportion to form a homogeneous mixture of granulate and/or flake. The mixed granulated curbside tailings and granulated coated  
10 fiberglass from automobile structural panels are then placed into the hopper of an extruder. Any type of extruder can be used in accordance with the present invention. The mixed materials are then melted, mixed and transported to a die or a mold as is known in the art.

          It is interesting to note that the present invention yields  
15 building materials that are unique in terms of structure. It is known that at the skin of the mold or the aperture of the die, fibers are slowed, elongated and highly oriented in the direction of flow. However, that effect, also known as shear, diminishes quickly the deeper into the component one goes. It has been found, however, in accordance with the present  
20 invention, that the use of coated fibers in an HDPE matrix results in a highly oriented, more uniform alignment which can be observed to a far greater depth than expected. This is believed to provide a much greater orientation of mechanical properties over the entire length of the building material produced. As the numbers reported in Example 1 indicate, the  
25 present invention provides a material with tremendously enhanced mechanical properties, even with a relatively reduced level of actual fiber content. Without wishing to be bound by any particular theory of operation, it is believed that the thermoplastic coating of fibers assists in providing the unusual degree and depth of fiber orientation obtained in

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accordance with the present invention. This orientation effect is believed to be the key to the vastly superior properties exhibited by the present invention, even when compared to lumber containing a much higher fiberglass content, such as Trimax.

5                   For certain applications such as, for example, railroad ties, it is important that the composite building material exhibit some very specific properties. For example, the material must be non-water or fuel absorbent, resistant to degradation and wear, resistant to the typical range of temperatures through which train tracks are exposed and non-  
10   conductive. In addition, the railroad ties must meet certain mechanical criteria. For example, the plastic composite railroad tie will have a compressive modulus of at least about 170,000 psi along the tie's axis. By the term "tie's axis" it is meant the longest axis of the railroad tie. Compressive modulus is a measure of stiffness which was measured by  
15   ASTM Test No. D695 which was modified to use full sized lumber as produced (full cross-section) cut down to length. More preferably, the composite building material useful as a railroad tie will have a compressive modulus of at least 200,000 psi and even more preferably 225,000 psi. Most preferably, when use for railroad ties, the plastic material will have a  
20   compressive modulus of at least about 250,000 psi.

                  The present invention is particularly well suited for railroad ties because of the different properties exhibited by the composite building materials along different axes. Because of the highly oriented fiber content in the direction of the flow (the long axis of a railroad tie), the tie  
25   exhibits incredible strength and rigidity along that axis. At the same time, in a perpendicular axis which cuts across the orientation of the fiber content, the tie is relatively softer and flexible. Thus, a railroad tie made from the composite building material in accordance with the present invention will not bend or stress rail laid perpendicularly thereon, as there

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is some give in that direction. However, because of the strength of the tie along the tie's longest axis, rails attached thereto will not be allowed to shift laterally or separate. For this reason, the railroad ties of the present invention are vastly superior to either wood or concrete ties currently employed.

In addition, in terms of railroad ties, it is important that rails attached thereto not be separated by more than about 0.3175 cm when placed under a lateral load of at least about 24,000 lbs. Lateral load refers to the outward pressure exerted by the train's wheels on the rails. The composite building material should also bear a vertical static load of at least about 39,000 lbs. This measures a tie's ability to stand up to having a train parked on top of it without squishing, or having the rail driven into the tie. A vertical dynamic load of at least 140,000 lbs. is also required. This measures the ability of a tie to handle train traffic.

#### EXAMPLES:

In all of the examples the following production protocol was used. The granulated polymer component was loaded into a 7 cubic yard cylindrical blender having internal directional valves and mixed for about 15 min. Thereafter, the granulated coated fiberglass was added to the blender and mixing continued for about another 15 min. Total blending time was about 30 min. The mixture was then charged to the input hopper of a 6 inch Hartig extruder. The extruder was set at 24:1 L/D and was vented. The extruder had five zones set at the following temperatures: 385°, 390°, 395°, 400°, and 400° F. respectively. The manifold was heated to 375° F. The materials were extruded into molds. However, these materials could have been continuously extruded as well. All samples were water cooled for 3 hrs. and then air cooled overnight or for about 8 hrs.

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**EXAMPLE 1**

Four inch by four inch by eight foot lumber (4"x4"x8') was produced as described above. The polymer component consisted of curbside tailings having an HDPE content in excess of 90%. Coated fiberglass from ground automobile bumpers were also used. The materials tested included coated fiber contents of 0%, 10% or 35% with a fiberglass contents of 0%, 3-4%, and 12-14% respectively. (Based on the weight of the finished building composite material.) The amount of coated fiber used is listed along the top of Table 2. The Trimax material was purchased commercially and had the following dimensions: 3.5 inches by 3.5 inches by 8 feet. Trimax has a fiberglass content of 35%.

**TABLE 2**

	0%	10%	35%	Trimax
Flex Modulus	143,000	155,000	362,000	339,000
Flex Strength	2050	2310	4220	2750
Compressive Modulus	188,300	190,000	428,100	243,700
Compressive Strength	3,900	3,600	3,800	1,930

All reported in pounds per square inch - psi. Flex modulus and flex strength were measured using ASTM Test No. D790 modified to allow for the use of full sized samples using "as produced" materials.

These results demonstrate the superiority of the composite building materials of the present invention. Not only did the lumber produced in accordance with the present invention have a better flex modulus, but it also exhibited over a 53% increase in flex strength. This is



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particularly surprising since strength is a function of a number of factors including fiber content. The material of the present invention produced using a 35% coated fiber content actually had more than 50% less fiberglass than the comparable Trimax material yet it was over 53%  
5 stronger. The superiority of the present invention is even more pronounced when the compressive forces are considered. The present invention had a compressive modulus of about 76% greater than Trimax and a compressive strength which was about 97% greater than Trimax. The compressive characteristics of the composite lumber is the key to its  
10 utility as a railroad tie.

As shown in Table 3, the composite material of the present invention also has about a 31% lower thermal expansion coefficient when compared to Trimax and about 50% less than traditional plastic lumber.

TABLE 3

Plastic Lumber	$7.4 \times 10^{-5}$
Trimax	$5.1 \times 10^{-5}$
Present Invention (35% coated fiberglass)	$3.5 \times 10^{-5}$

15 Measured in inch per inch per degree F.

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**EXAMPLE 2**

A railroad tie was produced which was seven inches by nine inches by ten feet (7"x9"10') and tested as previously described.

	0%	35%
Flex Modulus	98,000	310,000
Flex Strength	2,000	4,100

Measured in psi

**5 INDUSTRIAL APPLICABILITY**

The invention finds applicability to the railroad, construction and building materials industries by providing railroad ties, building materials and methods of their manufacture. The invention is also applicable to the plastics and recycling industries.

**CLAIMS:**

1. A composite building material comprising: a polymer component and distributed therein a coated fiber component, said polymer component including between about 80 and about 100% HDPE by weight  
5 of said polymer component.
2. The composite building material of claim 1, wherein said polymer component includes between about 85 and about 100% HDPE by weight.
3. The composite building material of claim 2, wherein  
10 said polymer component includes between about 90 and about 100% HDPE by weight.
4. The composite building material of claim 1, wherein said polymer component can include up to 20% by weight of one or more polymers selected from the group consisting of PVC, PE, PP, LDPE, PS  
15 and PET.
5. The composite building material of claim 1 wherein said coated fiber is coated with a thermoplastic material selected from the group consisting of PP, PE, PS, and HDPE.
6. The composite building material of claim 1 wherein  
20 said coated fiber also includes a sizing agent.
7. The composite building material of claim 5 wherein said coated fiber also includes a sizing agent.
8. The composite building material of claim 1 wherein said coated fiber component is present in an amount of at least about 10%  
25 by weight based on the weight of the finished composite building material.
9. The composite building material of claim 8 wherein said coated fiber component is present in an amount of between about 10 and about 80% by weight based on the weight of the finished composite building material.

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10. The composite building material of claim 9 wherein said coated fiber component is present in an amount of between about 25 and about 50% by weight based on the weight of the finished composite building material.

5 11. The composite building material of claim 10 wherein said coated fiber component is present in an amount of between about 30 and about 40% by weight based on the weight of the finished composite building material.

10 12. The composite building material of claim 11 wherein said coated fiber component is present in an amount of between about 35% by weight based on the weight of the finished composite building material.

13. The composite building material of claim 1 wherein said coated fiber has a minimum length of about .1 mm.

15 14. The composite building material of claim 13 wherein said coated fiber has a length of between about 0.5 and about 20 mm.

15. The composite building material of claim 14 wherein said coated fiber has a length of between about 5.0 and about 10.0 mm.

16. The composite building material of claim 1, wherein said coated fiber is coated fiberglass.

20 17. The composite building material of claim 1 having a compressive modulus of at least about 170,000 psi along an axis.

18. The composite building material of claim 14 having a compressive modulus of at least about 200,000 psi along an axis.

25 19. The composite building material of claim 15 having a compressive modulus of at least about 250,000 psi along an axis.

20. The composite building material of claim 1 wherein said coated fiber contains between about 10 and about 90% fiber content by weight.

21. The composite building material of claim 20 wherein said coated fiber contains between about 20 and about 60% fiber content by weight.

22. The composite building material of claim 21 wherein  
5 said coated fiber contains between about 30 and about 45% fiber content by weight.

23. The composite building material of claim 9 wherein said coated fiber contains between about 20 and about 60% fiber content by weight.

10 24. The composite building material of claim 23 wherein said coated fiber contains between about 30 and about 45% fiber content by weight.

25. The composite building material of claim 10 wherein said coated fiber contains between about 20 and about 60% fiber content  
15 by weight.

26. The composite building material of claim 25 wherein said coated fiber contains between about 30 and about 45% fiber content by weight.

27. A plastic composite railroad tie which is non-water or  
20 fuel absorbent, non-conductive, having a compressive modulus of at least about 250,000 psi along the tie axis.

28. A plastic composite railroad tie which is non-water or fuel absorbent, non-conductive, and wherein attached rails will not separate by more than 0.3175 cm under a lateral load of at least 24,000  
25 lbs., a vertical static load of at least 39,000 lbs. or a dynamic vertical load of at least 140,000 lbs.

29. The plastic composite railroad tie of claim 28 further comprising a polymer component and distributed therein a thermoplastic coated fiber component, said polymer component including between about

-20-

80 and about 100% HDPE by weight of said polymer component and being provided in an amount of at least about 20% by weight based on the weight of the finished composite building material.

1/1

FIG. 1

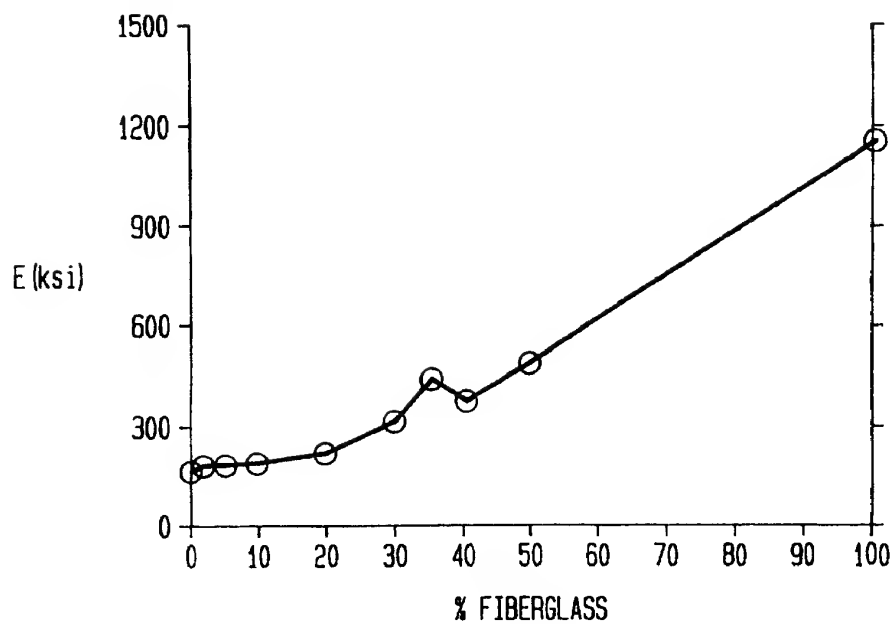
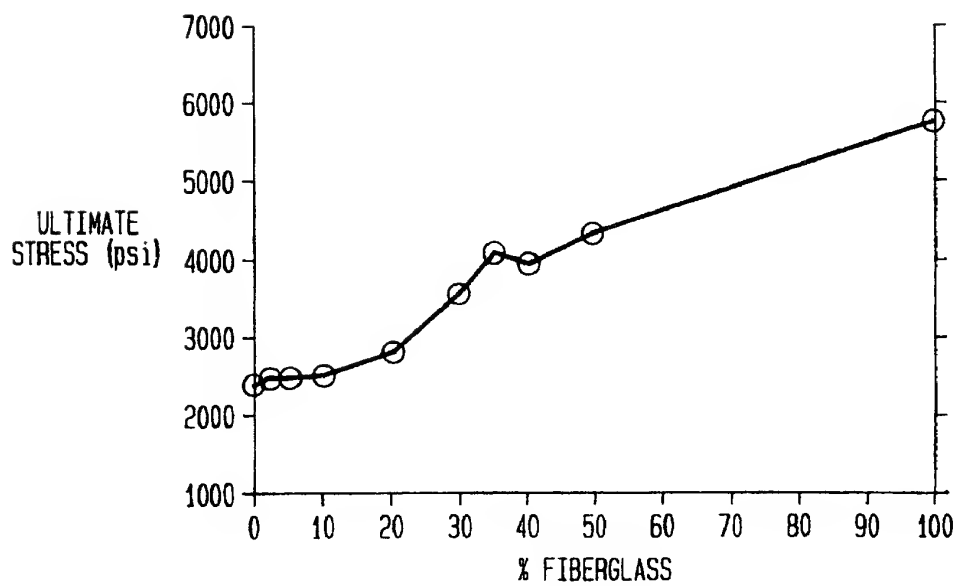


FIG. 2



## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US97/15239

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(6) : C08K 5/01, 3/40; C08J 11/04

US CL : Please See Extra Sheet.

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 524/494, 493, 23; 428/311.5, 384, 903.3; 521/40.5, 41; 523/204, 214, 217, 513, 527

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 4,035,550 A (SUH et al) 12 July 1977, col. 3, lines 51-52, 61; col. 4, line 9; claim 5.	6-13, 20-26
Y	US 5,312,858 A (FOLSOM) 17 May 1994, col. 4, line 7; col. 4, line 53; claim 2.	1-5, 8-16, 20-26.
Y	US 4,108,377 A (POTTER) 22 August 1978, col. 3, lines 28-33, col. 4, line 6, claim 1.	27, 28
Y	US 5,155,146 A (REETZ) 13 October 1992, col. 2, lines 6-8, col. 8, line 48, claims 11-17.	1-3, 8-11



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:	*T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
*A* document defining the general state of the art which is not considered to be of particular relevance	*X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
*B* earlier document published on or after the international filing date	*Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
*L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	*Z* document member of the same patent family
*O* document referring to an oral disclosure, use, exhibition or other means	
*P* document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

06 OCTOBER 1997

Date of mailing of the international search report

17 NOV 1997

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# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US97/15239

## Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This international report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☐ Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

Please See Extra Sheet.

1. ☒ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.  
☐ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US97/15239

## A. CLASSIFICATION OF SUBJECT MATTER:

US CL :

524/494, 493, 23; 428/311.5, 384, 903.3; 521/40.5, 41; 523/204, 214, 217, 513, 527; 238/84

## BOX II. OBSERVATIONS WHERE UNITY OF INVENTION WAS LACKING

This ISA found multiple inventions as follows:

Group I, claim(s) 1-26 and 29, drawn to a composite building material which comprises a polymer component and a coated fiber component, wherein the polymer component includes between about 80 and about 100% HDPE by weight of said polymer component; and the plastic composite railroad tie which is manufactured from said polymer component and said coated fiber component, classified in class 524, subclasses 494, 493, 23.

Group II, claim(s) 27 and 28, drawn to a plastic composite railroad tie which is non-water or fuel absorbent, non-conductive, having a compressive modulus of at least about 250,000 psi along the tie axis, classified in class 238, subclass 84.

The inventions listed as Groups I and II do not relate to a single inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Inventions of Group I and of Group II are related as mutually exclusive species in an intermediate-final product relationship. The intermediate product is deemed to be useful as decorative parts such as bumper corners for automobiles. The invention of Group II does not require the specific high density polyethylene and a coated fiber component to be present. Thus, any plastic material which is non-water or fuel absorbent, and non-conductive can be used for manufacturing a railroad tie by compression molding technique. Thus, the claims are not so linked by a special technical feature within the meaning of PCT Rule 13.2 so as to form a single inventive concept.